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TRANSMITTAL FORM

Application Serial Number	09/401,874
Filing Date	September 23, 1999
First Named Inventor	Engel
Group Art Unit	2114
Examiner Name	Le, Diet Minh T.
Attorney Docket No.	CON -004
Patent No.	Not applicable
Issue Date	Not applicable

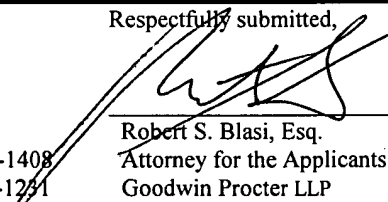
ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input checked="" type="checkbox"/> Interview Summary (3 pgs.) <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (please identify below)
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Respectfully submitted,

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PATENT

Attorney Docket No. CON-004 (104027/155942)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Engel
APPLICATION NO.: 09/401,874 ART UNIT: 2114
FILING DATE: September 23, 1999 EXAMINER: Le, Diet Minh T.
TITLE: Identifying a Failed Device in a Network

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTERVIEW SUMMARY

In response to the Office Action mailed on May 18, 2005, the Applicants respectfully submit this Interview Summary. The Applicants believe that no fees are due with this Response, but the Commissioner is hereby authorized to charge any required fees to Deposit Account No. 07-1700.

REMARKS

Interview Summary

We thank the Examiner for the courtesy of the telephonic interview held on May 9, 2005. In the interview, we discussed an item of prior art cited by the applicant in an information disclosure statement of January 8, 2004.

In particular, we discussed the patentability of the pending claims over United States Patent No. 5,436,909 to Dev et al. ("*Dev*"). The *Dev* reference provides a system for the "management of computer networks and, more particularly, to methods for isolation of faults in computer networks." *Dev* at col. 1, ln. 12–14.

As we discussed, the *Dev* reference makes clear that it does not communicate with neighboring network devices in response to a failure to communicate with a target device, which is the invention recited in the amended claims. Instead, *Dev* teaches a network management system using models of network entities, and the fault status of each network entity is contained in the corresponding model. See *id.* at col. 2, ln. 55–59. The step of determining the fault status of network devices neighboring the target device in *Dev* involves a "model of the first network device monitoring the fault status in models of all network devices adjacent to the first network device." *Id.* at col. 2, ln. 64–66 (emphasis added). See also *id.* at col. 10, ln. 62–col. 11, ln. 30.

That is, we claim a system that communicates with devices neighboring a network device suspected of failure. In contrast, the "fault-isolation technique" of *Dev* is implemented on top of a model-based representation of the network, and not by communicating directly with network devices themselves.

CONCLUSION

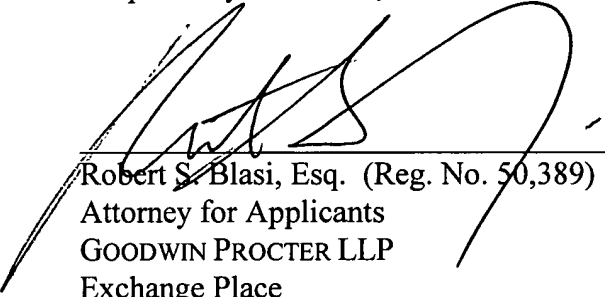
In light of the aforementioned interview, we respectfully submit that all of the pending claims are in condition for allowance. Accordingly, we respectfully request reconsideration, withdrawal of all grounds of rejection and objections, and allowance of all of the pending claims in due course.

If the Examiner believes that a telephone conversation with the Applicants' attorney would be helpful in expediting the allowance of this application, the Examiner is invited to call the undersigned at the number identified below.

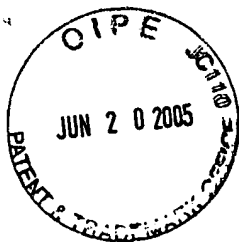
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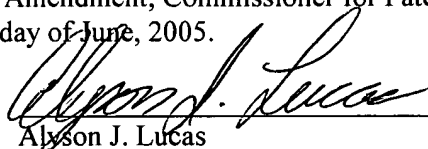
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CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

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Alyson J. Lucas

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Commissioner for Patents
P.O. Box 1450
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Submitted herewith is/are:

1. Transmittal Form (1 pg.);
2. Interview Summary (3 pgs.); and
3. Return Receipt Postcard.

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